

United States District Court, Eastern District of New York

UNITED STATES OF AMERICA

US DISTRICT COURT E.D.N.Y.

ORDER SETTING CONDITIONS OF RELEASE

AND APPEARANCE BOND

v.

★ OCT 03 2019

★

Case Number:

CR-19-444

Benjamin Bialko

BROOKLYN OFFICE

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released subject to the Standard Conditions of Release on the reverse and as follows:

☐ Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or☒ Upon Bond executed by the defendant in the amount of \$ 200,000, and secured by ☒ financially responsible sureties listed below and/or ☐ collateral set forth below.

Additional Conditions of Release

The Court finding that release under the Standard Conditions of Release on the reverse will not by themselves reasonably assure the appearance of the defendant and/or the safety of other persons and the community, IT IS FURTHER ORDERED as follows:

- ☒ 1. The defendant must remain in and may not leave the following areas without Court permission: ☒ New York City; ☒ Long Island, NY; ☐ New York State; ☐ New Jersey; ☐ _____ and travel to and from this Court and the permitted areas.
- ☒ 2. The defendant must avoid all contact with the following persons or entities: Co-Defendants, Witnesses & Victims
- ☐ 3. The defendant must avoid and not go to any of the following locations: _____
- ☒ 4. The defendant must surrender all passports to Pretrial Services by 10/1/19 and not obtain other passports or international travel documents.
- ☒ 5. The defendant is placed under the supervision of the Pretrial Services Agency subject to the Special Conditions on the reverse and:
- ☒ a. is subject to random visits by a Pretrial Services officer at defendant's residence and/or place of work;
- ☐ b. must report ☐ as directed by Pretrial Services or ☐ in person _____ times per _____ and/or ☐ by telephone _____ times per _____.
- ☒ c. must undergo ☐ testing, ☐ evaluation and/or ☒ treatment for substance abuse, including alcoholism, as directed by Pretrial Services.
- ☐ d. must undergo evaluation and treatment for mental health problems, as directed by Pretrial Services.
- ☐ e. is subject to the following location restriction program with location monitoring, as directed by Pretrial Services:
- ☐ home incarceration: restricted to home at all times, except for attorney visits, court appearances and necessary medical treatment;
- ☐ home detention: restricted to home at all times, except for attorney visits, court appearances, medical treatment, ☐ religious services, ☐ employment, ☐ school or training, ☐ other activities approved by Pretrial Services, ☐ _____
- ☐ curfew: restricted to home every day from _____ to _____, or ☐ as directed by Pretrial Services.
- ☐ Defendant must pay all or part of the cost of any required testing, evaluation, treatment and/or location monitoring with personal funds, based upon ability to pay as determined by the Court and the Pretrial Services Agency, and/ or from available insurance.
- ☐ 6. Other Conditions: Avoid contact with the original owner of the property, maintain good communication with the court, and pay the bond.

APPEARANCE BOND

I, the undersigned defendant, and each surety who signs this bond, acknowledge that I have read this Appearance Bond and, and have either read all the other conditions of release or have had those conditions explained. I further acknowledge that I and my personal representatives, jointly and severally, are bound to pay the United States of America the sum of \$ 200,000 and that this obligation is secured with the below interest in the following property ("Collateral") which I represent is/are free and clear of liens except as otherwise indicated:

- ☐ cash deposited in the registry of the Court in the sum of \$ _____;
- ☐ premises located at: _____ owned by _____;
- ☐ I also agree to execute a confession of judgment, mortgage or lien in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before 10/1/19.

Each owner of the above Collateral agrees not to sell the property, allow further claims or encumbrances to be made against it, or do anything to reduce its value while this Appearance Bond is in effect.

Forfeiture of the Bond. This Appearance Bond may be forfeited if the defendant fails to comply with any of the conditions set forth above and on the reverse. The defendant and any surety who has signed this form also agree that the court may immediately order the amount of the bond surrendered to the United States, including any security for the bond, if the defendant fails to comply with the above agreement. The court may also order a judgment of forfeiture against the defendant and against each surety for the entire amount of the bond, including any interest and costs.

Veronica Bialko

Address: _____
, Surety

Address: _____

, Surety

Address: _____

, Surety

Lori Scanlon

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release and of the penalties and sanctions set forth on the front and reverse sides of this form.

Release of the Defendant is hereby ordered on 10/3/19

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Signature of Defendant

s/Vera M. Scanlon, USMJ

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Distribution: Canary - Court Pink - Pretrial Services Goldenrod - Defendant